

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

TERRY HOLLEY

PLAINTIFF

VERSUS

CIVIL ACTION NO. 4:06cv14TSL-JCS

KIM REECE, UNKNOWN MOSELY,
and MEDICAL STAFF

DEFENDANTS

ORDER

Plaintiff has filed this complaint pursuant to 42 U.S.C. § 1983 against defendants Kim Reece, Unknown Mosely, and Medical Staff concerning the conditions of his confinement while incarcerated at the Lauderdale County Detention Facility, Meridian, Mississippi. On March 30, 2006, the filing fee of \$250.00 was paid. Therefore, the order granting the plaintiff in forma pauperis status entered on February 17, 2006, is rescinded.

Since the filing fee has been paid in this civil action, the plaintiff is responsible for preparing and serving each of the defendants with a copy of the complaint in accordance with the FEDERAL RULES OF CIVIL PROCEDURE. The plaintiff may choose to have the defendants served with a copy of the complaint by either summons or by a waiver of service.

If the plaintiff chooses to have the defendants served with a copy of the complaint by summons, he must do the following:

(1) The plaintiff is required to provide the clerk's office with a self-addressed postage prepaid envelope so that the issued summons may be returned to him for service.

(2) The plaintiff is required to complete a separate summons form for each of the named defendants, attach a copy of the complaint and return it to this court. The

court will then be responsible for issuing the summons which are submitted in proper form. Once the court issues the summons, it will be returned to the plaintiff in the self-addressed postage prepaid envelope provided by the plaintiff.

(3) The plaintiff is required to have the summons as well as a copy of the complaint served on the named defendants in accordance with Rule 4 of the FEDERAL RULES OF CIVIL PROCEDURE.

If the plaintiff chooses to have the defendants served with a copy of the complaint by Notice and Request of Waiver of Lawsuit, the plaintiff is required to comply with Rule 4(d) of the FEDERAL RULES OF CIVIL PROCEDURE. The plaintiff is reminded to file the executed Waiver with this office in accordance with Rule 4(d) (4) of the FEDERAL RULES OF CIVIL PROCEDURE.

The plaintiff is warned that if the defendants are not properly served in a timely manner as set forth in Rule 4(m) of the FEDERAL RULES OF CIVIL PROCEDURE, this case may be dismissed for want of prosecution under Rule 41(b) of the FEDERAL RULES OF CIVIL PROCEDURE. Accordingly, it is hereby,

ORDERED AND ADJUDGED that the order [document #5] filed February 17, 2006, granting the plaintiff in forma pauperis status is rescinded.

IT IS FURTHER ORDERED that the clerk of court is directed to attach the appropriate number of summons forms to this order and the appropriate number of Notice and Request of Waiver of Lawsuit forms to this order and mail to the plaintiff at his last known address.

SO ORDERED, this the 3rd day of April, 2006.

/s/ Tom S. Lee
UNITED STATES DISTRICT JUDGE